

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
                                 Plaintiff, )  
                                  )  
                                  )  
                                 vs. )                                 No. 4:00CR390-DJS  
                                  )  
                                  )  
BRYAN WARREN, )  
                                  )  
                                  )  
                                 Defendant. )

ORDER

On November 2, 2000, defendant Bryan Warren pled guilty to two counts of possession of cocaine base with intent to distribute. On May 4, 2001, the Court sentenced defendant to a term of 120 months' imprisonment, concurrent on each count. Acting pro se, defendant has filed motions for reduction of sentence pursuant to 18 U.S.C. §3582(c)(2) based on the recent retroactive amendment of the United States Sentencing Guidelines applicable to crack cocaine offenses. Upon careful consideration of the entire record in this matter and applicable law, the Court makes the following determinations.

The recent Sentencing Guidelines amendments afford no relief to defendant Warren. The 120 months of imprisonment the Court imposed resulted from the applicable mandatory minimum sentence required by statute. The amendments to the Sentencing Guidelines have no effect on a statutory minimum sentence of

imprisonment. United States v. Peters, 524 F.3d 905, 907 (8th Cir. 2008); United States v. Black, 523 F.3d 892, 892-893 (8th Cir. 2008); United States v. Jones, 523 F.3d 881, 882 (8th Cir. 2008).

Accordingly,

**IT IS HEREBY ORDERED** that defendant's motions for reduction of sentence pursuant to 28 U.S.C. §3582(c)(2) [Docs. #46 & #48] are denied.

Dated this 26th day of August, 2008.

/s/Donald J. Stohr  
UNITED STATES DISTRICT JUDGE